

**Appendix B**  
**Clean Copy of Pending Claims**

19. The composition according to claim 21, wherein the recombinant AAV comprises a constitutive promoter.

20. The composition according to claim 19, wherein the promoter is selected from the group consisting of the cytomegalovirus immediate early promoter and the Rous sarcoma virus LTR promoter.

21. A composition comprising a recombinant adeno-associated virus (AAV) suspended in a biologically compatible carrier,

wherein said recombinant AAV comprises (a) a 5' AAV inverted terminal repeat (ITR), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE) operably linked to regulatory sequences which direct its expression, and (c) a 3' AAV ITR, and

wherein the recombinant AAV is at least as free of contaminating adenoviral helper virus as is obtained by subjecting said recombinant AAV to four rounds of cesium chloride gradient centrifugation.

22. The composition according to claim 21, wherein said composition comprises at least  $10^9$  particles of recombinant AAV.

23. The composition according to claim 21, wherein the composition comprises  $2.5 \times 10^{10}$  to  $5 \times 10^{10}$  genomes of recombinant AAV.

24. The composition according to claim 21, wherein the composition comprises  $5 \times 10^{10}$  to  $5 \times 10^{11}$  genomes of recombinant AAV.

26. A method of delivering apolipoprotein E (ApoE) to a mammal with atherosclerosis, said method comprising the step of

administering to the mammal a composition comprising a recombinant adeno-associated virus (AAV) suspended in a biologically compatible carrier,

wherein said recombinant AAV comprises (a) a 5' AAV inverted terminal repeat (ITR), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE) operably linked to regulatory sequences which direct expression thereof and (c) a 3' AAV ITR, wherein the recombinant AAV is as free of contaminating adenoviral helper virus as is obtained by subjecting said recombinant AAV to four rounds of cesium chloride gradient centrifugation

and wherein the ApoE in said composition is expressed in the mammal.

27. The method according to claim 26, wherein said recombinant AAV is administered intramuscularly.

28. The method according to claim 26, wherein said composition comprises at least  $10^9$  genomes of recombinant AAV.

30. The method according to claim 26, further comprising the step of monitoring the mammal for expression of ApoE.

31. A method of delivering apolipoprotein E (ApoE) to a mammal with atherosclerosis, said method comprising the step of

administering to the mammal a composition comprising a recombinant adeno-associated virus (AAV) suspended in a biologically compatible carrier intramuscularly,

wherein said recombinant AAV comprises (a) a 5' AAV inverted terminal repeat (ITR), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE) operably linked to regulatory sequences which direct expression thereof and (c) a 3' AAV ITR,

wherein the rAAV is at least as free of contaminating adenoviral helper virus as is obtained by subjecting said recombinant AAV to four rounds of cesium chloride gradient centrifugation

and wherein the ApoE in said composition is expressed in the mammal.

32. The method according to claim 31, wherein the composition is administered into the skeletal muscle.

33. The method according to claim 31, further comprising the step of monitoring the mammal for expression of ApoE.

34. The method according to claim 31, wherein the level of contaminating adenoviral helper virus is the same as that obtained by subjecting said recombinant AAV to four rounds of cesium chloride centrifugation.

35. The composition according to claim 21, and wherein the level of contaminating adenoviral helper virus is the same as that obtained by subjecting said recombinant AAV to four rounds of cesium chloride centrifugation.

36. A composition comprising a recombinant adeno-associated virus (AAV) suspended in a biologically compatible carrier,

wherein said recombinant AAV comprises (a) a 5' AAV inverted terminal repeat (ITR), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE) operably linked to regulatory sequences which direct its expression, and (c) a 3' AAV ITR, and

wherein the recombinant AAV is free of contaminating adenoviral helper virus detectable by histochemical staining.

37. A method of delivering apolipoprotein E (ApoE) to a mammal with atherosclerosis, said method comprising the step of

administering to the mammal a composition intramuscularly, said composition comprising a recombinant adeno-associated virus (AAV) suspended in a biologically compatible carrier,

wherein said recombinant AAV comprises (a) a 5' AAV inverted terminal repeat (ITR), (b) nucleic acid sequences encoding human apolipoprotein E (ApoE) operably linked to regulatory sequences which direct expression thereof and (c) a 3' AAV ITR,

wherein said recombinant AAV is free of contaminating adenoviral helper virus detectable by histochemical staining and wherein the ApoE in said composition is expressed in the mammal.

38. The method according to claim 37, wherein the recombinant AAV contains less than 1 infectious unit of wild-type AAV per  $10^9$  AAV.